

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

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*In the matter of:* reclamation at the BMC  
Seep's Ridge Road Pit mine, permit no.  
S/047/0119, operated by Blue Mountain  
Crushing, LLC, located in the Uintah and Ouray  
Reservation in southeastern Uintah County,  
Utah

**NOTICE OF HEARING**

Docket No. 2015-029

Cause No. S/047/0119

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE  
ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, DECEMBER 9, 2015, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-8-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Notice of Agency Action requesting that the Board take the following actions:

1. Order forfeiture of the \$62,200 surety for reclamation under Utah Code §§ 40-8-14(6)(a)-(b) and Utah Administrative Code Rule 647-3-112.

2. Order the Division to reclaim the BMC Seep's Ridge Road Pit mine using the forfeited surety under Utah Code § 40-8-12.5 and Utah Administrative Code Rule 647-3-112.

3. Request that the Attorney General and the Division seek civil penalties of \$22,896 (\$396 for the CO and \$22,500 for the FTACO) in a judicial action under Utah Code § 40-8-9.1(4).

4. Providing such other equitable relief as may be just and reasonable based on the evidence and arguments provided at the hearing.

Objections to the Notice of Agency Action must be filed with the Secretary of the Board at the address listed below no later than November 25, 2015. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.


Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Notice of Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <http://ogm.utah.gov/amr/boardtemp/redesign/books.html>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 10th day of November, 2015.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
Ruland J. Gill, Jr., Chairman

  
/s/ Julie Ann Carter  
Board Secretary  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5277

**CERTIFICATE OF PUBLISHED NOTICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2015-029, Cause Nos. S/047/0119 to be PUBLISHED in the following newspapers on the following days:

November 15, 2015:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

November 17, 2015:

Uintah Basin Standard, a newspaper of general circulation in Duchesne and Uintah Counties.

November 17, 2015:

Vernal Express, a newspaper of general circulation in Uintah and Daggett Counties.

  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of November, 2015, I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2015-029 Cause No. S/047/0119, to be mailed by Email or via First Class Mail with postage prepaid, to the following:

Steven F. Alder  
John Robinson Jr.  
Melissa L. Reynold  
Utah Attorney General's Office  
Natural Resources Division  
1594 W. North Temple, Suite 300  
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Division of Oil, Gas and Mining*

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Attn: Surety Service Center  
1400 American Lane  
Tower 2, Floor 9  
Schaumburg, IL 60196

Corporation Service Company  
RA for Atkinson-Leavitt Insurance Agency  
10 East South Temple, Suite 850  
Salt Lake City, UT 84133

Corporate Agent Services, LLC  
RA for Blue Mountain Crushing  
60 East South Temple #1800  
Salt Lake City, UT 84111

A handwritten signature in blue ink, reading "Julie Ann Carter", is positioned above a solid horizontal line that extends to the right.